

FILED

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

OCT 31 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE Western **DISTRICT OF TEXAS**
WACO **DIVISION**

CLERK U S DISTRICT COURT
 WESTERN DISTRICT OF TEXAS
 DEPUTY CLERK

Carlos Dewayne Brown, SR
 Plaintiff's Name and ID Number

Alfred Hughes Unit
 Place of Confinement

CASE NO. 6:22-cv-01150
 (Clerk will assign the number)

v.

See Attached
 Defendant's Name and Address

See Attached
 Defendant's Name and Address

See Attached
 Defendant's Name and Address
 (DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACKSIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

#1 Defendant Name

Address:

State Prison Department

Alfred Hughes Unit

3201 Fm 929

Gatesville, Texas, 76597

#2 Defendants Name

Alfred Hughes Unit

3201 Fm 929

Medical Department

Gatesville, Texas 76597

#3 Defendants Name

Mental Health Department

Alfred Hughes Unit

3201 Fm 929

Gatesville, Texas, 76597

FILING FEE AND *IN FORMA PAUPERIS* (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$50.00 for a total fee of **\$400.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or a initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$50.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE OF THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ___ YES X NO
- B. If your answer to "A" is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: _____
 2. Parties to previous lawsuit:
 - Plaintiff(s) _____
 - Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) _____
 4. Cause number: _____
 5. Name of judge to whom case was assigned: _____
 6. Disposition: (Was the case dismissed, appealed, still pending?) _____
 7. Approximate date of disposition: _____

II. PLACE OF PRESENT CONFINEMENT: _____

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? X YES ___ NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Carlos Dwayne Brown
Alfred Hughes Unit, 3201 FM 927
Gatesville, Texas 76597

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: SAFE person's Department, Alfred Hughes Unit
3201 FM 927, Gatesville TX, 76597

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

See Attached

Defendant #2: Medical Department, Alfred Hughes Unit
3201 FM 927, Gatesville, Texas 76597

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

See Attached

Defendant #3: Mental Health Department, Alfred Hughes Unit
3201 FM 927, Gatesville, Texas 76597

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #4: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5: _____

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Statements of Complaints.

I, Charles Dewayne Brown Sr 02215243 on this said date of October 15th 2022 do Hear By Write All Facts of Defendants of this Complaint is True.

Defendant #1 - Soc. Prison's Department.

in The month of November year of 2021. I Charles Brown submitted A numerous amount to this said Department for 2 Reasons.

#1) To Follow up on my Rape At Bill's Clements Unit in 2017". The Follow up is Due Because I did in fact After Getting Re-Housed on Michael's Unit in Tennessee Colony Texas. And Being Released on Sept 9 2018 I Re-Entered Texas state prison on 2018-01-~~09~~, Because Since The Rape it has caused some very Deep mental Developments. And suicide Attempts. To my person. And it has cause a Deep Depression, To where I can Feel myself crying in my Sleep. And I have an very High Anxiety Being around, and or living With A Regular male Contail. I have reported To Hughes Unit Soc. Prison's Department That I needed my Gender Identity Re-up Dated. In this said month, And on several Numerical Request through out this said year of 2022. To Be updated as Transgender. And staff officials Failed To Respond and, or Comply with State, And Federal Rights To a Transgender's Safety. And Gender Expression.

Defendant #2 medical Department.

I Bring This S.A.D Complaint Because on many of Request I have asked medical to Refer my Gender Dysphoria medical Request to provider ms. Dozier a T.V. provider for This S.A.D Unit Alfred Hughes. But medical provider Failed to Comply Denying me the Right to Talk to a professional Gender Dysphoria provider about me Receiving Gender Reassignment Surgery. Due to the Facts - That on September 2nd 2022 I Tried Cutting open ~~the~~ the Male genital sack to Remove its Contents. I Applied to SELF give medical Removal to SELF on the left side of the S.A.D Genital. But It was Found very painful AND too much Blood. But I Did manage to get a Deep Cut. on This S.A.D Date of September 2nd 2022 on AD-566 #1 Sargent Williker Came to my Cell with Lt. Lieutenant Bankers. But Failed to Address my Mental Issue. Instead They Both Only Tried to Force me to wear a paper gown only After they asked me was I a Transgender and I stated yes. They also Threaten to Come in to use Unnecessary use of force. Because I Did throw a Cup of water Towards a Correctional Staff that's the first Reason they Tried to use Force. Then they Walked away without giving Notice to my Mental ~~Medical~~ Issue.

(#13) Defendant MENTAL HEALTH Department.

I Hear By Being This Complaint Because I Did In True Facts Notify That said Department of my MENTAL Gender Dysphoria Illness That I needed to talk to someone. Because on 6-28-22 I Burned my mattress in cell, and Tried Hanging myself. A fact on this said date MENTAL HEALTH DID Notice A SCAR on the Right Side of my Neck from the Twisted Sheets, And placed me on MENTAL HEALTH Direct Observation. On July 2nd 2022 I was let off Direct Observation. only to Return to the Depressing Mental Issue of Removing my Male Genitals. I Struggled with the Facts That I can't live knowing that I have male Body parts I DID In fact notify the Gender Dysphoria provider of this Facts. she suggested That I Bring it up in this Complaint. Because Texas Department of Criminal Justice Medical Department Do use Blanket policies. To prevent medical, or any serious Help to an inmate. Because Truly the simply Denot CARE. I failed to ins Doctor about the Surgery. And I told HER about me trying to Rinse my male Genitals. And the fact MENTAL HEALTH DID Not Comply Fully with the Help I needed. They stated That Gender Dysphoria Issues Are Not A MENTAL HEALTH Issue. That I'd have to talk to the Gender Clin.c.

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

See previous Attachment

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like to be accepted for my STX Reassignment surgery to hopefully solve my Mental Gender Dysphoria Issues. As stated.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

Carlos Brown, Dan, Eastward, Laceyalt Brown, Jasmine Brown

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

1665314, 1888435, 02215243, FBI No. 8293441438, State TEXAS. 06391586

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES X NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): _____

2. Case number: _____

3. Approximate date sanctions were imposed: _____

4. Have the sanctions been lifted or otherwise satisfied? YES X NO

C. Has any court ever warned or notified you that sanctions could be imposed? ____ YES X NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): _____
2. Case number: _____
3. Approximate date warning was issued: _____

Executed on: _____
DATE

Carlos Dewayne Brown, Sr
Carlos Dewayne Brown Sr
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 15th day of October, 2022.
(Day) (month) (year)

Carlos Dewayne Brown, Sr
Carlos Dewayne Brown Sr
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

mate ID# 02215243

1 Hughes unit

FM 929

SVilla, TEXAS ~~76597~~ 76597

U.S. District

800 Franklin Ave

WACO, TEXAS

LEGAL

MAIL



CLERK'S OFFICE
Room #380

6701

LEGAL MAIL

RECEIVED

OCT 31 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK